

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KILIAN W. SMITH
355 SETTLEMIER AVENUE
WOODBURN, OR 97071

confirms the right to use the water of KILIAN SMITH WELL #3, tributary to MILL CREEK a tributary of the PUDDING RIVER, for IRRIGATION of 219.0 ACRES and SUPPLEMENTAL IRRIGATION of 6.0 ACRES.

The right was perfected under PERMIT G-248. The date of priority is MAY 22, 1956. The amount of water to which such right is entitled for the purposes aforesaid is limited to an amount actually beneficially used for said purpose and shall not exceed 1.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Dubois DLC 98, Section 13, Township 5 South, Range 2 West, W. M.; 2 chains (132 feet) South and 0.5 chains (33 feet) West from the Northerly SE Corner DLC 98.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of ONE-EIGHTIETH of one cubic foot per second or its equivalent for each acre irrigated and shall further be limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

PRIMARY IRRIGATION

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.1 ACRES as projected within G. Leasure DLC 53
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 13.6 ACRES as projected within J. Duchame DLC 64
SECTION 7
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 31.4 ACRES as projected within J. Duchame DLC 64
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.4 ACRES as projected within J. Duchame DLC 64
SECTION 18

TOWNSHIP 5 SOUTH, RANGE 1 WEST, W. M.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 ACRES as projected within G. Leasure DLC 78
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.1 ACRES as projected within J. Duchame DLC 80
SECTION 12
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 16.4 ACRES as projected within J. Duchame DLC 80
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 19.5 ACRES as projected within A. Dubois DLC 98
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22.7 ACRES as projected within A. Dubois DLC 98
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3.2 ACRES as projected within A. Dubois DLC 98
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 36.8 ACRES Lot 2
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24.2 ACRES Lot 1
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.6 ACRES as projected within A. Dubois DLC 98
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.0 ACRES as projected within J. Duchame DLC 80
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.4 ACRES as projected within A. Dubois DLC 98
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.7 ACRES as projected within A. Dubois DLC 98
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.7 ACRES Lot 3

NE¼ SW¼ 2.2 ACRES Lot 5
NE¼ SE¼ 0.2 ACRES as projected within J. Duchame DLC 80
NE¼ SE¼ 8.3 ACRES Lot 7
NW¼ SE¼ 10.0 ACRES Lot 6

SECTION 13

TOWNSHIP 5 SOUTH, RANGE 2 WEST, W. M.

SUPPLEMENTAL IRRIGATION

SE¼ NE¼ 6.0 ACRES Lot 1

SECTION 13

TOWNSHIP 5 SOUTH, RANGE 2 WEST, W. M.

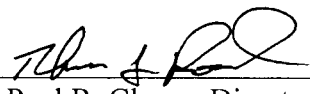
This certificate describes that portion of the water right confirmed by Certificate 27210, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered December 21, 2000, and recorded at Special Order Volume 54, Pages 918 - 919, canceling a portion of said water right.

This certificate clarifies the acreage subject to supplemental irrigation under this right, and is based on the field notes recorded by the field inspector at the time of final proof inspection.

The issuance of this superseding certificate does not confirm the status of the water right in regards to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JANUARY 10, 2001.


for Paul R. Cleary, Director